

## **4.13 EFFECTS FOUND NOT TO BE SIGNIFICANT**

Based on the initial review process for the proposed Agricultural Cluster Subdivision Program, the County of San Luis Obispo determined that there was no substantial evidence that the proposed amendments would cause or otherwise result in significant environmental effects in the resource areas discussed below. As indicated in the State CEQA Guidelines, no further environmental review of these issues is necessary for the reasons summarized in the following discussion. The substantiation for determining that these issues would result in no impact or a less-than-significant impact is described in further detail in Appendix A, NOP, pursuant to § 15128 of the State CEQA Guidelines.

### **Agriculture**

*Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Agricultural cluster subdivisions would not re-designate agriculturally zoned properties. Projects would also be subject to adopted agricultural buffer policies which are intended to minimize conflicts between residential development and adjacent agricultural uses, and would be required to supply hydro-geologic studies to verify that the proposed residential development would not adversely impact water supplies for existing and future agricultural uses. Properties under a Williamson Act contract would not be eligible to participate in the proposed program.

### **Air Quality**

*Would the project create objectionable odors affecting a substantial number of people?*

Future development in accordance with the proposed Agricultural Cluster Subdivision Ordinance would be required to use on-site septic systems as their means for wastewater disposal. When required, such systems must be designed, constructed, and inspected in compliance with the requirements of the Central Coast Basin Plan. Compliance with the Basin Plan would mean that odors resulting from poorly-designed septic systems would not be anticipated to occur. The Basin Plan establishes requirements regarding slope, depth to bedrock, depth to groundwater, and percolation rate, which are designed to ensure that wastewater appropriately percolates before reaching groundwater and does not daylight. Because all such systems are required to comply with the Basin Plan, impacts resulting from septic system odors are not anticipated to be significant. Moreover, as the ordinance would require a minimum parcel size of 2.5 acres, it is not anticipated that any odors generated from septic systems would affect a substantial number of people.



### **Biological Resources**

*Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Future development in accordance with the proposed Agricultural Cluster Subdivision Program would not be expected to interfere with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. In addition, individual projects would be required to comply with applicable policies provisions in any such plans in place at the time of development. Less than significant impacts would result.

### **Hazards and Hazardous Materials**

*Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The proposed project would modify existing development and subdivision standards pertaining to agricultural cluster subdivisions. These amendments are intended to reduce environmental impacts associated with agricultural cluster subdivisions and to protect agricultural lands for continued and enhanced agricultural. Development approved under the proposed amendments would not be expected to involve the storage or transport of substantial quantities of hazardous materials, or contain any hazardous design features. The use, transport, or storage of hazardous quantities of such materials would require compliance with several local, state, and federal laws and programs that would ensure public safety. Impacts would be less than significant.

*Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Because future development in accordance with the proposed Agricultural Cluster Subdivision Program would not be expected to involve the storage or transport of substantial quantities of hazardous materials, the ordinances would not create reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment. Resulting impacts would be less than significant.

*Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?*

Although future residential development in accordance with the proposed Agricultural Cluster Subdivision Program could occur within ¼ mile of a school, individual projects would not involve hazardous emissions or handling of hazardous materials. Impacts would be less than significant.



*Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The proposed Agricultural Cluster Subdivision Program would modify current development standards, leading to new residential development that could traverse areas of soil, groundwater, or other contamination included on a list of hazardous materials sites. Future development in accordance with the proposed ordinances would be required to comply with applicable local, state and federal requirements regarding site assessment, soils and groundwater evaluation, and remediation in areas where soil or groundwater contamination is known or suspected to occur. Site assessments that result in the need for soil excavation would be required to include the following: 1) an assessment of air impacts and health impacts associated with excavation activities; 2) identification of any applicable local standards that may be exceeded by the excavation activities, including dust levels and noise; 3) transportation impacts from the removal or remedial activities; and 4) risk of upset practices should an accident occur at the site. Compliance with these existing requirements would ensure less than significant impacts.

*For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

Development subject to the proposed ordinance revisions could be located within two miles of Paso Robles, San Luis Obispo, or Oceano Airports. The County's Airport Land Use Commission (ALUC) has adopted Airport Land Use Plans (ALUPs) for each of these airports. The ALUPs regulate such things as height and density for projects occurring within their planning areas. All land subject to ALUP provisions have been designated under the County's General Plan under the Airport Review (AR) combining designation. Projects in the AR designation are required to comply with all ALUP restrictions applicable to the project site. These restrictions are designed to avoid airport and air traffic related impacts. Therefore, less-than-significant impacts would result.

*For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

Some future projects which are subject to the Agricultural Cluster Subdivision Program could be located near a private airstrip. Due to the relatively rare occurrence of private airstrips and existing ordinance restrictions governing structural height, development under the proposed amendments would not be expected to result in a safety hazard. As a result, impacts would be less than significant.

*Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Future development in accordance with the proposed Agricultural Cluster Subdivision Program would not be expected to interfere with any emergency response plan or evacuation



plan. In addition, individual projects would be required to comply with applicable policies contained in the General Plan Safety Element. Less-than-significant impacts would result.

*Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

All future development in accordance with the Agricultural Cluster Subdivision Program would be required to comply with applicable policies contained in the General Plan Safety Element and would be subject to individual environmental review and mitigation, as necessary. Additionally, most projects are subject to the preparation of a fire safety plan in collaboration with the local fire agencies. In areas where fire hazard is considered high or very high, in wildland/urban interface areas, and state responsibility areas, the fire safety plans will employ state-designated wildland urban interface requirements. Inspection of all required fire safety measures will take place before final occupancy is granted on any construction permit. Impacts would therefore be less than significant.

### **Hydrology and Water Quality**

*Could the project result in inundation by seiche, tsunami, or mudflow?*

Tsunamis are seismically-induced ocean waves. Low-lying coastal areas are subject to inundation and damage from tsunamis. The extent of inundation from a tsunami will depend on the location, strength, and sense of motion of the earthquake. Only small tsunami events have been recorded in San Luis Obispo County. A tsunami generated by the 1964 Alaskan earthquake caused damage in the Crescent City area, and may have been observed in the North Coast area of San Luis Obispo County. Previous studies have predicted a maximum tsunami wave “runup” of approximately 9.5 feet above sea level for a 100-year event. However, recent emergency planning by San Luis Obispo County has noted that 40 feet above mean sea level (amsl) may be a maximum potential tsunami run up elevation. The County’s Tsunami Emergency Response Plan further recommends an elevation higher than 50 feet amsl for purposes of avoiding potential tsunami run-up areas. Seiches are waves generated by an earthquake in a lake, reservoir, or harbor.

In the Coastal Zone, the proposed project would only affect the rural North Coast and Estero planning areas. According to the *County of San Luis Obispo Tsunami Response Plan (March 2010)* the locations within these planning areas that are most vulnerable to tsunami hazards are those located near mouths of streams that drain into the Pacific Ocean, such as:

- San Simeon Creek in San Simeon;
- Santa Rosa Creek in Cambria;
- Cayucos Creek, Little Cayucos Creek, Old Creek and Willow Creek in Cayucos;
- Morro Creek and Alva Paul Creek in Morro Bay; Chorro Creek in Morro Bay and the South Bay area

These stream outlets are primarily located within the Cambria, Cayucos, and Morro Bay urban reserve areas and are therefore not within the project area, which only includes Agriculture-



designated parcels. The greatest interface between the project area and the coastline occurs along the Harmony coast between Cayucos and Cambria. This area is elevated above sea level on coastal bluff tops and is therefore not considered vulnerable to inundation by a tsunami. The potential for inundation by a seiche, or mudflow caused by a seiche, is also considered less than significant since none of the County's major reservoirs or other enclosed waterbodies are located within the project area.

### **Land Use and Planning**

*Would the project physically divide an established community?*

The proposed Agricultural Cluster Subdivision Program would not affect established circulation patterns or design standards. Cohesiveness of community development is established through the Circulation Element of the General Plan, which provides for an interconnected road system, and through individual community Design Plans and Specific Plans, which encourage interconnection between developed uses. The proposed revisions do not amend the County's Circulation Element. Additionally, the revised standards would not amend the Design Plan or Specific Plan for any individual community. Development subject to the proposed ordinance revisions would still be subject to guidelines, policies, and standards provided in these plans. Therefore, impacts would be less than significant.

*Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The proposed Agricultural Cluster Subdivision Program would not conflict with any applicable County General Plan policy, Local Coastal Program policy, or ordinance standard (refer to Appendix B, Policy Consistency).

### **Mineral Resources**

*Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The County's General Plan places areas of known mineral resources within the Energy and Extractive Resource Area (EX) combining designation. Projects in the EX designation that are not related to energy development or resource extraction are required to get discretionary land use permit approval. In order for the land use permit to be approved, the review authority must first find that the proposed use and development would not adversely affect the potential for mineral extraction. The requirements under the EX combining designation will therefore ensure that no significant impacts to mineral resources would result.



*Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

As discussed above, areas of known mineral resources have been designated in the County General Plan under the Energy and Extractive Resource Area (EX) combining designation. Projects will not be approved in this designation unless the review authority can find that the project will not adversely affect the resource. Therefore, no significant impacts would result.

### **Population and Housing**

*Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

The proposed Agricultural Cluster Subdivision Program applies to new agricultural cluster subdivisions and related development. The standards under the proposed ordinance revisions would not, themselves, require demolition or removal of existing residences. Such demolition may otherwise occur, as necessary, to accommodate new proposed development and maintain compliance with Title 19 (Building and Construction Ordinance) and the California Building Code. Impacts would be less than significant.

*Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

As discussed above, development in accordance subject to the proposed Agricultural Cluster Subdivision Program would not necessitate removal of housing. Impacts would be less than significant.

### **Public Services and Utilities**

*Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Under the proposed amendments, residential development would be clustered together on 2.5 to 5 acre lots and 95 percent of the agricultural parcel would be placed under an agricultural preservation easement. The individual cluster lots and the surrounding agricultural parcel would contain sufficient area to handle storm water drainage on-site without the need for the construction of new or expanded storm water drainage facilities.

*Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition the provider's existing commitments?*

As required under the proposed amendments, future residential cluster lots would be served by individual on-site wells and septic systems. As a result, the proposed program would not affect community water or wastewater treatment providers.



### **Transportation and Circulation**

*Could the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The project will involve incorporation of additional requirements pertaining to agricultural cluster subdivisions. The ordinance revisions will not increase density or intensity beyond what is considered under the General Plan. Facilities to be built and changes in development characteristics resulting from the Agricultural Cluster Subdivision Program are not expected to result in any physical changes to air traffic patterns.

*Could the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*

The proposed Agricultural Cluster Subdivision Program would modify current development standards, potentially leading to physical changes in project design. Future development in accordance with these amendments would not be expected to increase hazards due to a design feature or incompatible use. In addition, future development would be required to comply with Titles 13 (Roads and Bridges, Streets and Sidewalks) and 15 (Vehicles and Traffic) of the San Luis Obispo County Code. In addition, individual projects would require individual environmental review and mitigation, as necessary. Impacts are therefore less than significant.

*Could the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

The proposed Agricultural Cluster Subdivision Program would not be expected to conflict with any adopted policies, plans or programs supporting alternative transportation. No impacts would result.

### **Water Resources**

*Would the project adversely affect a community water service provider?*

As required under the proposed amendments, future residential cluster lots would be served by individual on-site wells and septic systems. As a result, the proposed program would not affect community water or wastewater treatment providers.



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